

EL DORADO CITY COMMISSION MEETING

July 20, 2020

The El Dorado City Commission met in a regular session on July 6, 2020 at 6:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog (attended via phone in executive session), City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Linda Clark	1112 Rim Rock Road	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Austin Lowry	401 N Atchison	El Dorado, KS
Shawn Steward	AAA Kansas	
Troy Wells	KDOT	
Deanna Bonn	Everyday El Dorado	El Dorado, KS
Robert Carpenter	313 N Hillcrest	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the July 20, 2020 meeting to order.

INVOCATION

Pastor Corey Landreth, Real Life Christian Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Shawn Steward, AAA Kansas, presented the El Dorado Police Department with their sixth AAA Traffic Safety Award.

Mayor Bill Young read a proclamation encouraging citizens to wear masks or face coverings.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

Robert Carpenter, 313 Hillcrest, asked who takes care of the weeds in the utility easement. He stated that they are adjacent to his property and he has to have animal control out a lot to deal with animals.

City Engineer Scott Rickard stated that he would look into it to confirm where the property line is.

CONSENT AGENDA

Approval of the City Commission minutes from July 6, 2020 and Special City Commission Meeting Minutes from July 1, 2020.

OLD BUSINESS

INDEPENDENT AUDIT OF THE FINANCIAL STATEMENTS FOR YEAR-ENDING DECEMBER 31, 2019, PREPARED BY BERBERICH TRAHAN & CO., P.A.

City Manager David Dillner stated that the Commission has been provided with a copy of the financial statement and a report from the auditors. Staff discussed the audit with the Commission at the previous work session and it was determined that there were no questions. He stated that the audit needed to be accepted.

Commissioner Matt Guthrie moved to accept the independent audit of the year-ending December 31, 2019 financial statements as prepared by Berberich Trahan & Co., P.A.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

SPECIAL USE PERMIT FOR 500 SOUTH ALLEGHENY STREET

Commissioner Nick Badwey recused himself from the discussion as he is the resident agent.

City Engineer Scott Rickard stated that the applicant at 500 South Allegheny Street is requesting an accessory structure at this address. He stated that the property was combined with the home to the north of it. He stated that the Planning Commission has recommended approval 4 – 1.

Commissioner Kendra Wilkinson asked why the one person voted against the project.

City Engineer Rickard stated that the no vote believed that the structure disrupted the flow of the neighborhood. He stated that the property owner has proposed a significant setback, decorative fencing and landscaping.

Commissioner Gregg Lewis moved to approve Case No. 20-06-SUP, requesting a SUP for a 1,500 square foot accessory structure at 500 S. Allegheny Street and that Ordinance No. G-1331 be approved.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Abstain
Position No. 4	Commissioner Kendra Wilkinson	Yes

TRANSIENT GUEST TAX CHARTER ORDINANCE

City Manager David Dillner stated that the City currently has a 5% transient guest tax

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Commissioner Nick Badwey seconded the motion.

Mayor Bill Young stated that during the previous discussions, staff had looked at surrounding communities and their guest tax amounts. He stated that this rate falls within the middle of the range of our surrounding communities.

ROLL CALL VOTE

Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes

LIQUOR TAX CHARTER ORDINANCE

City Manager David Dillner stated that the Commission has discussed chartering out of the current liquor tax distribution because the existing language is very confusing. He stated that the ordinance provided distributes the funds similarly to the Statute, but provides clarification on the final expenditure. He stated that the first third would be deposited in the general fund, the second third to the special parks and recreation fund, and the third would go to non-profit organizations that effect the prevention of domestic violence.

Commissioner Nick Badwey moved to approve Charter Ordinance No. 26, a Charter Ordinance exempting the City of El Dorado, Kansas, from K.S.A., Sections 79-41a04, and providing substitute and additional provisions on the same subject.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes

CARES ACT RESOLUTION

City Manager David Dillner stated that the CARES Act was put in place by the federal government as a response to the COVID-19 pandemic. He stated that Butler County will received \$13.78 million. He stated that the funds can be spent on those items that: are necessary public health emergency expenses; not accounted for in the 2020 budget; and expenses incurred March 1st through December 31st of 2020.

City Manager Dillner stated that the Resolution states that we agree to receive the funds and use them only for expenses related to COVID-19. He stated that the first pool of funds is for direct expenses such as PPE and technology spent in response to the pandemic. He stated that the second pool of money is direct aid, those funds have not yet been spent but have the opportunity to enhance the City’s ability to respond to COVID-19. Staff have included possible projects in

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Commissioner Kendra Wilkinson moved to approve Resolution No. 2907, a Resolution affirming the City's commitment to use CARES Act funds for appropriate uses and to comply with any reporting requirements necessary to ensure such compliance.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Manager Dillner stated that because of the quick turnaround on this, staff are prepared to review the projects at the work session on Wednesday.

ITEMS FOR DISCUSSION

DOWNTOWN AND TRUCK PARKING

City Engineer Scott Rickard stated that the City Commission has received questions from citizens regarding parking in the downtown area and truck parking on City streets. Staff are asking for a discussion to get direction on the parking ordinances.

Mayor Bill Young asked why the two-hour parking was created downtown.

City Engineer Rickard stated that it is limited to two-hour parking to keep a continuous flow of customers. He stated that all day parking is allowed in all of the municipal parking lots behind each block.

Mayor Young asked what issues we are having.

City Manager David Dillner stated that the complaint we have received is that we are not proactively enforcing the time limit and some businesses are using the on-street parking as all day parking for their business.

Police Chief Curt Zieman stated that we haven't enforced the two-hour parking in several years. He stated that we do not typically receive many complaints on the subject each year. He stated that because of new laws regarding the marking of tires, he wasn't sure how it could be enforced.

Mayor Young asked if there is signage pointing to the municipal lots.

City Manager Dillner stated that he believed there was.

Commissioner Matt Guthrie asked how many complaints there had been.

Staff stated that there had been three, two at the City Manager's chat and one in regards to the construction downtown.

Commissioner Wilkinson asked about the truck parking issue.

Police Chief Zieman stated that we have received a complaint from a business owner in the business park. He stated that his staff posted a sign at the hotels stating that semi-truck parking is not allowed on streets in El Dorado.

Commissioner Gregg Lewis stated that he was concerned about the trucks here as part of the BNSF project. He didn't want to prevent them from parking on the street in their larger

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Mayor Young stated that he did not believe there should be semi parking in that area because we are trying to recruit more businesses in that area and we have spent a lot of money developing the area.

City Engineer Rickard read the current ordinance.

Commissioner Badwey stated that the current ordinance might prevent the railroad trucks from parking there.

Mayor Young stated that he would like to see recommendations on how we can adjust the ordinance to better fit our situation.

City Engineer Rickard stated that we need to consider the new marketing plan and how we might be trying to recruit businesses in that area.

City Manager Dillner asked for direction on downtown parking.

The City Commission agreed that it did not seem to be an issue at this time and didn't see reason to change it.

City Manager Dillner stated that the only issue is that if we do not enforce it, it will be difficult to enforce it in the future.

City Engineer Rickard stated that staff would bring a recommendation for the truck parking issue.

SPECIAL USE PERMIT AT 105 NORTH ARTHUR

City Manager David Dillner stated that the Commission had requested that the SUP for 105 North Arthur be reviewed 30 days after their last discussion. He stated that it appears that the applicant is in compliance with the SUP.

Commissioner Matt Guthrie stated that it looks much better.

The City Commission agreed to let the SUP stand.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Nick Badwey thanked the Fire Department for helping build playground equipment at Quail Ridge.

Commissioner Badwey stated that the Friends of the Library has canceled the book sale and sloppy joe dinner this year. He stated that the library is running about fifty percent circulation right now. He stated that curbside and outreach are both still available.

Commissioner Gregg Lewis stated that El Dorado Inc. had meetings later in the week.

CITY MANAGER

City Manager David Dillner stated that the Census group would begin making visits door-to-door to encourage individuals to participate in the Census.

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City Manager Dillner stated that KDOT awarded the City \$300,000 for mill and overlay of Central from Taylor to Griffith. He stated that the City would be required to contribute thirty percent.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the attorney client privilege exception under K.S.A. 75-4319(b)(2) for the purposes of discussing legal issues and to reconvene the meeting at 8:00 p.m. in the City Commission room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Bill Young called the meeting back to order at 8:00 p.m.

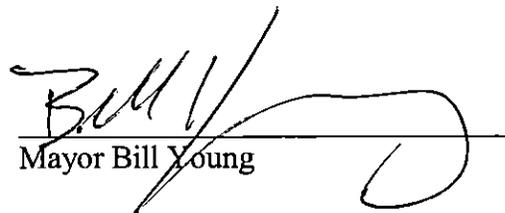
ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:01 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.


City Clerk Tabitha D. Sharp


Mayor Bill Young